



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

JAMES R. ELEY
THOMPSON HINE LLP
10 W. BROAD ST., SUITE 700
COLUMBUS, OHIO 43215-3435

COPY MAILED

NOV 19 2003

OFFICE OF PETITIONS

NOTICE

In re Application of :
Peter Alan Luhrs et al :
Application No. 09/748,925 :
Filed: December 27, 2000 :
Attorney Docket No. 058542.00007 :

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. **See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).**

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989).** Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

Inquiries related to this communication should be directed to the Office of Petitions Staff at (703) 305-9285.

This file is being forwarded to Technology Center AU 2152.


Irvin Dingle

Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



10-27-03

~~DA C/H~~

IN THE UNITED STATES DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

RECEIVED
OCT 29 2003
OFFICE OF PETITIONS

Applicant: Luhrs, et al. Examiner n/a
Filed: 12/27/2000 Art Unit 2152
Serial No: 09/748,925 Docket No. 058542.00007
For: METHOD AND APPARATUS FOR PROGRAMMING VEHICLE NETWORK

Commissioner of Patents
P.O. Box 1450
Arlington, VA 22313-1450

REQUEST FOR CORRECTION OF SMALL ENTITY STATUS
UNDER CFR 1.28(c)

Applicant requests correction of its entity status from "small entity" to "large entity". The application for the above-noted patent and the fees associated therewith was erroneously filed claiming small entity status. This error was made without intent to mislead or deceive. Attached is check in the amount of \$477.00 as payment of the total deficiency in fees that was calculated as follows:

Date Paid: 12/27/2000

Basic Statutory Filing Fee Paid	\$355.00
Claims in Excess of 20 Paid (11)	99.00 (11 x \$9.00)
Independent Claims over 3 Paid (1)	40.00 (1 x \$40.00)
Recordation of Assignment Fee Paid	40.00
Total Filing Fee Paid	\$534.00

Current Basic Statutory Filing Fee	\$770.00
Claims in Excess of Twenty (11)	198.00 (11 x \$18.00)

10/29/2003 SLUANG1 00000003 200809 09740925

01 FC:1001	770.00 DP
02 FC:1202	198.00 DP
03 FC:1201	83.00 DA 3.00 DP



Independent Claims over 3 (1)

43.00 (1 x 43.00.00)

Total Filing Fee

\$1,011.00

Difference Due

\$477.00

The Commissioner is hereby authorized to credit any overpayment of the filing fee or charge any deficiency in the filing fee to Deposit Account No. 20-0809.

Respectfully submitted,

James R. Eley, Esq. Reg. No. 36,790
THOMPSON HINE LLP
10 W. Broad St., Suite 700
Columbus, Ohio 43215-3435
Telephone: 614/469-3228
Fax: 614/469-3361



Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail No. EL589380337US, postage paid on this 22nd day of October, 2003 in an envelope addressed to the following:

Commissioner of Patents
P.O. Box 1450
Arlington, VA 22313-1450



Pixie L. Picketts



TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
058542.00007

Re Application Of: **Luhrs, et al.**

Serial No.
09/748,925

Filing Date
12/27/2000

Examiner

Group Art Unit
2152

Title: **METHOD AND APPARATUS FOR PROGRAMMING VEHICLE NETWORK**

TO THE DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE:

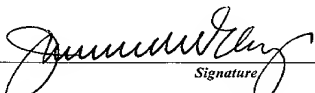
Transmitted herewith is:

Request for Correction of Small Entity Status
Check for \$477
Return Postcard

RECEIVED
OCT 29 2003
OFFICE OF PETITIONS

in the above identified application.

- ☐ No additional fee is required.
- ☒ A check in the amount of **\$477.00** is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **20-0809** as described below.
- ☐ Charge the amount of
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

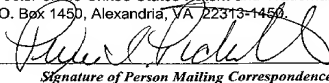

Signature

James R. Eley, Esq. Reg. No. 36,790
Thompson Hine, LLP
10 W. Broad St., Suite 700
Columbus, OH 43215-3435
Phone: 614/469-3228
Fax: 614/469-3361

Dated: **10/22/2003**

Express # EL 58938033765

I certify that this document and fee is being deposited on **10-23-2003** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Director of the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.


Signature of Person Mailing Correspondence

Pixie I. Picketts

Typed or Printed Name of Person Mailing Correspondence

CC:

Transaction List

Search by

☐ Accounting Date: Operator ID:
(MMDDYY)



☒ Name/Number:
☐ Attorney Docket No:
☐ Deposit Account No:

Accounting Date	Operator ID	Seq. No	Txn Src	Fee Code	St	Amount	Name/Number	Dep Acct
04/15/2003	AWONDAF1	17	SALE	1460	A	130.00	09748925	
01/03/2001	VYANG1	104	SALE	581	A	40.00	09748925	
01/03/2001	VYANG1	103	SALE	202	A	40.00	09748925	
01/03/2001	VYANG1	102	SALE	203	A	99.00	09748925	
01/03/2001	VYANG1	101	SALE	201	A	355.00	09748925	



Adjustment Detail

Authorization Detail



Adjustment date: 10/29/2003 SLUANG1
01/03/2001 VYANG1 00000048 09748925
01 FC:201 -355.00 OP
02 FC:203 -99.00 OP
03 FC:202 -40.00 OP

1.28C